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10/627,524

07/24/2003

Sung-Joo Lee

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09/22/2005

BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD
SEVENTH FLOOR
LOS ANGELES, CA 90025-1030

EXAMINER

GAUTHIER, GERALD

ART UNIT

PAPER NUMBER

2645

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/627,524

Applicant(s)

LEE ET AL.

Examiner

Gerald Gauthier

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/24/03, 2/4/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on July 24, 2003 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. **Claim(s) 1-10** are rejected under 35 U.S.C. 103(a) as being unpatentable over Eslambolchi et al. (US 5,875,422) in view of Calder et al. (US 6,594,347 B1).

Regarding **claim(s) 1**, Eslambolchi discloses a telephony user interface system performing interface between a wired telephony network and automatic speech translation service systems (FIG. 1 and column 1, lines 7-10), comprising:

a wired telephony network interface for processing call related signals received from the wired telephony network (FIG. 1 and column 2, lines 25-40);

a user interface for performing a predetermined control procedure in order to obtain first information required for an automatic speech translation service in the automatic speech translation service systems and second information required for telephone connection with a counterpart of a user, wherein the first and the second information are inputted by the user who initiates the telephone connection through the wired telephony network (FIG. 1 and column 3, lines 15-26);

an automatic speech translation service system interface for performing interface between the telephony user interface system and the automatic speech translation service systems (FIG. 1 and column 2, lines 41-62); and

a system controller for performing overall control of the above interfaces (FIG. 1 and column 3, lines 6-14).

Eslambolchi discloses a wired telephony network for the automatic translation but fails to disclose a wired and a wireless telephony network.

However, Calder, in the same field of endeavor, teaches a wired and a wireless telephony network (FIG. 2 and column 5, lines 47-52).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the invention of Eslambolchi using the communication network as taught by Calder.

This modification of the invention enables the system to have a wired and a wireless telephony network so that the user would have the advantage of receiving the translated communication over its mobile phone.

Regarding **claim(s) 2**, Eslambolchi discloses a telephony user interface system, wherein the automatic speech translation service systems include a first automatic speech translation service system for supporting a first language translation and a second automatic speech translation service system for supporting a second language translation, and each of the automatic speech translation service systems translates the corresponding first or second language into an intermediate language or translates the intermediate language into the corresponding first or second language (FIG. 1 and column 3, lines 27-51).

Regarding **claim(s) 3**, Eslambolchi discloses a telephony user interface system, wherein the intermediate language is of an interchange format type (FIG. 1 and column 3, lines 15-26).

Regarding **claim(s) 4**, Eslambolchi discloses a telephony user interface system, wherein the first information comprises a predetermined telephone number corresponding to a language that the user requires for translation (FIG. 1 and column 3, lines 15-26).

Regarding **claim(s) 5**, Eslambolchi discloses a telephony user interface system, wherein the user interface receives languages of the user and the counterpart and a telephone number of the counterpart from the user, and performs a function for connection with the automatic speech translation service systems, a function for transmitting voice data of the user to any one of the corresponding automatic speech translation service systems, and a function for receiving composite vocal data as translation results from any one of the corresponding automatic speech translation service systems, and reproducing and outputting the composite vocal data to the counterpart (FIG. 1 and column 3, lines 15-41).

Regarding **claim(s) 6**, Eslambolchi discloses a telephony user interface system, wherein the telephony user interface system further comprises a communication switch for interchanging transmission and reception of an interchange language between the

automatic speech translation service systems in a case in which at least two users are simultaneously connected to the telephony user interface system (FIG. 1 and column 2, lines 25-40).

Regarding **claim(s) 7**, Eslambolchi discloses a control method of a telephony user interface system interface between a wired telephony network and automatic performing speech translation service systems (FIG. 1 and column 1, lines 7-10), comprising:

(a) searching for an available communication channel in a case in which a user requests a telephone connection, and receiving a language kind and a telephone number of a counterpart of the user (FIG. 1 and column 3, lines 15-20);

(b) making a call to the counterpart on the basis of the telephone number in (a) and attempting a telephone connection to the counterpart (FIG. 1 and column 3, lines 20-26);

(c) transferring a guiding message to the user and the counterpart on how to use an automatic speech translation service (FIG. 1 and column 3, lines 27-41);

(d) receiving vocal data of the user and the counterpart and transmitting the received vocal data to the appropriate automatic speech translation system so that speech translation can be performed (FIG. 1 and column 3, lines 27-41); and

(e) reproducing and outputting composite vocal data obtained through the speech translation to the user and the counterpart (FIG. 1 and column 3, lines 41-51).

Eslambolchi discloses a wired telephony network for the automatic translation but fails to disclose a wired and a wireless telephony network.

However, Calder, in the same field of endeavor, teaches a wired and a wireless telephony network (FIG. 2 and column 5, lines 47-52).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the invention of Eslambolchi using the communication network as taught by Calder.

This modification of the invention enables the system to have a wired and a wireless telephony network so that the user would have the advantage of receiving the translated communication over its mobile phone.

Regarding **claim(s) 8**, Eslambolchi discloses a control method according to claim 7, wherein the control method further comprises performing a validity test of the telephone number inputted in (a), and then proceeding to (b) (FIG. 1 and column 3, lines 6-14).

Regarding **claim(s) 9**, Calder teaches a control method, wherein the control method further comprises notifying the user through a guide message that it is the telephone connection impossible to connect to the counterpart when attempt has been rejected from the counterpart (FIG. 1 and column 8, lines 12-22).

Regarding **claim(s) 10**, Eslambolchi discloses a control method, wherein (c) includes notifying the user and the counterpart through a guide message of how to use an automatic speech translation service (FIG. 1 and column 3, lines 16-25).


Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (571) 272-7539. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2645

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


GERALD GAUTHIER
PATENT EXAMINER

Gerald Gauthier
Examiner
Art Unit 2645

g.g.
August 31, 2005